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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Kitsukawa)	Art Unit: 2614
)	
Serial No.: 09/802,635)	Examiner: Manning
)	
Filed: March 9, 2001)	50P4371
)	
For: SYSTEM AND METHOD FOR BILLING FOR)	September 28, 2006
INTERACTIVE TELEVISION)	750 B STREET, Suite 3120
)	San Diego, CA 92101
)	

RESPONSE TO NOTICE OF NON-COMPLIANT BRIEF

Commissioner of Patents and Trademarks

Dear Sir:

This responds to the Notice of Non-Compliant Brief dated September 25, 2006. It is noted that the Notice is not seasonable; the Examiner's Answer and a Reply Brief by Appellant have already been filed.

It is noted that the Notice is incorrect in respect of both allegations leveled in it. First, the allegation is incorrect that the summary of claim 2 fails to include citations to the specification. The summary of claim 2 uses the well-understood legal shorthand term "supra" to refer to specification citations in the immediately preceding paragraph. There is no prohibition in the rules against specification citations using well-understood legal shorthand, and that which is not prohibited is allowed.

The second allegation, as best understood by Appellant, appears to be even further afield. It first alleges that the "arguments" section (section 7 of the Brief) is defective for failing to present each ground of rejection for review and citations of statutes relied on - but that is the way it is supposed to be, since the immediately preceding section - "grounds of rejection to be reviewed", section 6 - is supposed to and in fact


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does recite this information. This latter allegation also contends that the arguments section fails to treat each ground of rejection under a separate heading, it having escaped the reviewer's attention that there are only two grounds of rejection set forth in section 6, and section 7 has an "a" subportion and a "b" subportion.

Respectfully submitted,



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JLR:jg

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